

MEMO ENDORSED

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Attorneys for Defendant
 SUPREME OIL COMPANY, INC.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 VENTURA FOODS, LLC

Plaintiff,

-against-

SUPREME OIL COMPANY
 INCORPORATED a.k.a.
 ADMIRATION FOODS,

Defendant.
 -----X

Case No. 07 CV 7338

Honorable Judge P. Kevin Castel

USDS SDNY
 DOCUMENT
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 DATE FILED: 10/29/07

NOTICE OF MOTION AND MOTION TO SEAL PAPERS

PLEASE TAKE NOTICE that, for the reasons stated in the Memorandum In Support of Application to Seal and the declarations of Defendant Supreme Oil Company and Plaintiff Ventura Foods LLC, the attorneys for Defendant Supreme Oil, Tiajolloff &

The grant or denial of a preliminary injunction is a judicial act. Proceedings on the preliminary injunction will take place in a public courtroom. True, sales of customer data may qualify as a trade secret and be entitled to confidentiality in the pretrial process. I cannot say that the two exhibits are peripheral. If the parties intend to offer the exhibits at the hearing and, if offered, they are received, then, ~~they~~ on this record, the public right of access would attach to them.
Motion denied.

SO ORDERED.

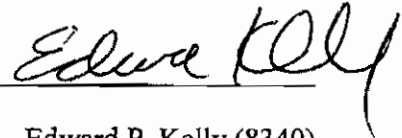
[Signature]
U.S.D.J.

10-29-07

Kelly, hereby move for an order to seal Exhibits G and J to Defendant's Memorandum in Opposition to Plaintiff's Motion For A Preliminary Injunction, as well as page 20 of Defendant's Memorandum In Opposition to Plaintiff's Motion For A Preliminary Injunction referring to Exhibit J and the deposition of Plaintiff's Vice President of Marketing Terry Splane of October 11, 2007 at pages 31-34.

Dated: October 24, 2007

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